

Message Text

CONFIDENTIAL

PAGE 01 BONN 15417 01 OF 02 251129Z

14

ACTION ACDA-10

INFO OCT-01 SS-14 ISO-00 PM-03 L-02 INR-10 IO-03 PRS-01

EUR-10 EA-13 CIAE-00 NSCE-00 NSC-10 USIE-00 DODE-00

SSO-00 INRE-00 RSC-01 SPC-01 DRC-01 /080 W

----- 073787

O R 251111Z OCT 73

FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 8272

INFO USMISSION EC BRUSSELS

USMISSION NATO BRUSSELS

USMISSION IAEA VIENNA

AMEMBASSY TOKYO

C O N F I D E N T I A L SECTION 01 OF 02 BONN 15417

LIMDIS NOFORN

E.O. 11652: XGDS-1

TAGS: PARM, PFOR, GW

SUBJECT: NPT RATIFICATION--CDU DEPUTIES REQUEST
FURTHER GUIDANCE

REF: (A) BONN 14780, (B) STATE 199931, (C) BONN 14948,
(D) BONN 15061

BEGIN SUMMARY: WITH FIRST BUNDESTAG READING OF NPT
AND EURATOM/IAEA VERIFICATION AGREEMENT NOW SET FOR
NOV 8, CDU PARLIAMENTARY GROUP LEADERS ON THE SUBJECT--
KURT BIRRENBACH AND ALOIS MERTES--CONTACTED EMBOFF
SEPARATELY OCT 23-24 TO INQUIRE CONCERNING OUR UNDER-
STANDING OF SOVIET INTERPRETATION OF RELATED EUROPEAN
STATE SUCCESSION AND CONTROL ISSUES. BIRRENBACH AND
MERTES IMPLIED RELUCTANT READINESS TO ACCEPT U.S. SIXTH
INTERPRETATION IN REFS A AND B BUT EXPRESSED DOUBT THAT
USSR HAD EVER ENDORSED U.S.'S INTERPRETATION. THEY
SAID DECISIVE CDU MEETING ON NPT WOULD BE HELD OCT 31.
ACTION REQUESTED: EMBASSY WOULD APPRECIATE GUIDANCE,
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PAGE 02 BONN 15417 01 OF 02 251129Z

IF POSSIBLE BY OPENING OF BUSINESS OCT 29 AS TO H'OW

TO REPLY TO CDU DEPUTIES. END SUMMARY

1. FOLLOWING UP EARLIER OCT 11 CONVERSATION (REF A), BIRRENBACH CONTACTED EMBOFF OCT 24 TO RAISE THE QUESTION WHETHER THERE IS IN FACT A COMMON INTERPRETATION OF THE U.S. AND USSR OF THE NPT IN GENERAL AND THE RELATED ISSUES OF EUROPEAN STATE SUCCESSION AND "CONTROL OVER NUCLEAR WEAPONS" IN PARTICULAR. BIRRENBACH RECALLED EARLIER RESTRICTIVE SOVIET STATEMENTS OF KOSYGIN, ROSCHIN, AND TSARAPKIN ON THE SUBJECT. HE ASKED WHETHER SOVIET SILENCE FOLLOWING U.S. SIXTH INTERPRETATION INDICATED U.S./RUSSIAN CONSENSUS ON SIXTH AND FIRST FIVE INTERPRETATIONS. BIRRENBACH SAID FRANKLY THAT HE DID NOT INTERPRET SOVIET POSITION THAT WAY AND DID NOT BELIEVE IT COULD BE SO INTERPRETED UNDER VIENNA CONVENTION. IN PRESENTING REPORT TO CDU PARLIAMENTARY GROUP ON NPT RATIFICATION QUESTION, BIRRENBACH SAID SOVIET INTERPRETATION OF NPT, AND PARTICULARLY OF SUCCESSION AND CONTROL ISSUES, WOULD BE OF MAJOR IMPORTANCE. HE IMPLIED THAT SUBSTANTIAL NUMBER OF CDU MIGHT BE ABLE TO LIVE WITH U.S. INTERPRETATIONS (REF B),. WHILE NOTING THAT ANGLO-SAXON THEORY OF STATE SUCCESSION IS SOMEWHAT MORE PRAGMATIC THAN FORMALIZED CONTINENTAL THEORY.

2. EMBOFF ALSO DISCUSSED NPT ISSUE OCT 23 WITH MERTES, A FORMER FONOFF EXPERT ON NPT AND MBFR, WHO IS SHARING NPT RAPPORTER ROLE FOR CDU WITH BIRRENBACH. SPEAKING FRANKLY, MERTES SAID HE PERCEIVED NO MAJOR PROBLEM IN MAKING THE TYPE OF GERMAN NPT COMMITMENTS TO ALLIES ALREADY EXISTING SINCE 1954. HOWEVER, HE CONSIDERED THAT SUCH COMMITMENTS TO SOVIET ADVERSARY WOULD TEND TO DIMINISH THE SENSE OF PUBLIC DANGER AND THUS HAVE AN ERODITIVE EFFECT ON THE CRITICAL POLITICO-PSYCHOLOGICAL ASPECTS OF THE BALANCE OF POWER IN EUROPE. WHILE FAVORING U.S. EFFORT TO SUPPLEMENT MILITARY SECURITY THROUGH POLITICAL AGREEMENTS, MERTES SAID DETENTE MUST PROCEED IN A BALANCED WAY. THIS IS ALL THE MORE IMPORTANT, IN HIS VIEW GIVEN THE TENDENCIES TOWARD U.S./SOVIET BILATERALISM, "RETREAT OF AMERICAN

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PAGE 03 BONN 15417 01 OF 02 251129Z

POWER," AND INCIPIENT TENDENCY OF U.S. TO DISTINGUISH MAJOR NATIONAL AMERICAN INTERESTS FROM THE INTERESTS OF ITS WEST EUROPEAN ALLIES. (THIS LATTER POINT, AS WELL AS U.S. SKEPTICISM CONCERNING EUROPE, ALSO MADE BY STRAUSS IN MUNICH INTERVIEW FOLLOWING RETURN FROM LAST WEEK'S VISIT TO WASHINGTON.)

3. CONTINUING, MERTES SAID RECENT GERMAN GOVERNMENT

REFERENCE TO LEGION OF STATES WHICH HAD SIGNED OR
RATIFIED NPT WAS ESSENTIALLY IRRELEVANT. HE SAID ONLY
10 COUNTRIES REALLY MATTERED IN THIS CONNECTION, I.E.,
THOSE NON-NUCLEAR WEAPONS STATES WHICH HAVE THE
TECHNICAL POSSIBILITY OF BECOMING A NUCLEAR WEAPONS

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PAGE 01 BONN 15417 02 OF 02 251157Z

43

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 15417

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STATE AND WHICH ALSO WERE OUTSIDE THE SOVIET OR CHINESE
SPHERE OF INFLUENCE. HE ENUMERATED THOSE STATES AS
JAPAN, AUSTRALIA, INDIA, ISRAEL, ITALY, SWITZERLAND,
SWEDEN, BRAZIL, CANADA, AND, ABOVE ALL IN THE SOVIET
PERCEPTION, THE FEDERAL REPUBLIC OF GERMANY. MERTES
REFERRED TO THE OTHER STATES RATIFYING THE NPT AS
"BLIND MEN RENOUNCING PORNOGRAPHY."

4. MERTES THEN SHOWED EMBOFF SHORT MEMO ON NPT, WHICH
HE HAD CIRCULATED TO KEY CDU DEPUTIES. MEMO ARGUED
THAT THE CENTRAL QUESTION OF THE NPT FOR THE
SOVIET UNION IS THE CORRECT INTERPRETATION OF THE
PHRASE "CONTROL OF NUCLEAR WEAPONS DIRECTLY OR

INDIRECTLY." IN THE MEMO, MERTESCONTENDS THAT
THE FORMULATION OF ARTICLE I AND II OF THE NPT WAS
THE CENTRAL CON-
CESSION OF THE USA TO THE SOVIET UNION (WITHOUT COUNTER-
CONCESSION), NAMELY, THAT THE CONCEPT OF CONTROL OF
NUCLEAR WEAPONS WAS NOT COMMONLY DEFINED. MERTES
CONCLUDES IN HIS MEMO THAT THE SOVIETS COULD ARGUE IN
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PAGE 02 BONN 15417 02 OF 02 251157Z

THE FUTURE, PROBABLY WITH THE SUPPORT OF A U.N.
MAJORITY, THAT THE RUSSIAN INTERPRETATION OF THE NPT
IS THE CORRECT ONE, I.E.,--THAT ALL PROLIFERATION IS
PRECLUDED, INCLUDING EUROPEAN SUCCESSION TO NUCLEAR
WEAPONS. IN ADVANCING THAT VIEW, THE SOVIETS
COULD REFER TO "THE AMERICAN RENUNCIATION OF THE MLF
AND OF THE EUROPEAN OPTION." MERTES SAID
HE HOPED THE ABOVE INTERPRETATION OF SOVIET VIEWS IS
INCORRECT AND WOULD BE GRATEFUL FOR ANY GUIDANCE WE
COULD PROVIDE TO THE CONTRARY.

5. IN CLOSING, MERTES INQUIRED CONCERNING THE STATUS
OF U.S./IAEA NEGOTIATIONS OVER THE AMERICAN
VOLUNTARY OFFER. EMBOFF SAID THESE NEGOTIATIONS WERE
PROCEEDING IN A NORMAL FASHION AND THAT U.S. EXPECTED
THEY WOULD ARRIVE IN DUE COURSE AT A SATISFACTORY
CONCLUSION. MERTES WELCOMED THIS INFORMATION.

6. COMMENT: IT SEEMS INCREASINGLY EVIDENT FROM THE
REMARKS OF BIRRENBACH AND MERTES THAT CDU OBJECTIVE
MAY BE TO PROPOSE INTERPRETATION OF NPT PROVISIONS
ON EUROPEAN SUCCESSION AND CONTROL OF NUCLEAR WEAPONS
AND SUGGEST THAT GERMAN GOVERNMENT SEEK TO WIN
ACCEPTANCE OF THIS INTERPRETATION FROM SOVIETS AND
POSSIBLY U.S. GOVERNMENTS. ACTION REQUESTED: BOTH
BIRRENBACH AND MERTES TOLD US THAT KEY CDU DECISION
ON NPT RATIFICATION PROBABLY WOULD BE TAKEN AT OCT 31
MEETING. WE WOULD BE GRATEFUL FOR GUIDANCE CONCERNING
QUESTION RAISED BY BIRRENBACH AND MERTES, IF POSSIBLE,
BY OPENING OF BUSINESS OCT 29.
HILLENBRAND

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